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UNCLAS SECTION 01 OF 04 SAN SALVADOR 000198

SIPDIS

DEPT FOR CA/FPP; DEPT ALSO PASS TO KCC; POSTS FOR FRAUD
PREVENTION MANAGERS

E.O. 12958: N/A

TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [ES](#)

SUBJECT: EL SALVADOR FRAUD SUMMARY 1ST QUARTER FY06

REF: 05 STATE 205073

In response to reftel, Post is updating its fraud
summary information for the first quarter of FY06.

Country Conditions

1. Political Structure: El Salvador is a constitutional democracy with three branches of national government; a unicameral legislature, a judiciary, and an executive branch headed by a president. El Salvador has a multi-party political system, although in reality two parties, the right leaning National Republican Alliance (ARENA) and the left leaning Farabundo Marti National Liberation Front (FMLN), garnered more than 92 percent of the votes in the 2004 Presidential Election. The country is divided into fourteen administrative departments, and further divided into 262 municipalities that are led by elected mayors.

2. Economy: El Salvador has a market-based economy and uses the U.S. dollar as its official currency. Historically, agricultural exports (including coffee, sugar, and shrimp) accounted for a majority of the Gross Domestic Product (GDP) but during the 1990s the service sector and light manufacturing became the leading contributors. The agricultural sector continues to be an important employer of the country's approximately 6.8 million citizens, but over half the population is employed in services, led by retail services. The average monthly income is 250 USD. Remittances from Salvadoran expatriates in the United States and elsewhere are the largest single source of foreign income, equaling 16.6 percent of 2005 GDP. In 2005 El Salvador received 2.8 billion dollars in remittances.

3. Gangs: Violent crime, especially homicide, is at a critical level in El Salvador. Many urban areas, including sections of the capital, provide an environment in which gang members, such as the MS-13 and 18th Street, may transit, live and operate with relative freedom from prosecution. These gangs engage in alien smuggling and drug trafficking to the United States. The Salvadoran government through the National Civil Police (PNC) is attempting to combat the gang problem with a specialized task force and targeted programs. Enhanced cooperation with other countries, especially the United States, has the potential to stem the increase of gang-related violence.

4. Illegal Immigration: El Salvador is a source of chronic illegal immigration into the United States. Conservative estimates put the number of people leaving El Salvador at approximately 300 per day. Alien smugglers, also known as "coyotes," make a lucrative income from these illegal immigrants by charging thousands of dollars per person. Many Salvadorans admire the coyotes for their on-the-ground success in assisting Salvadorans to reach the United States and send back money on which many families, and indirectly the country, depend.

5. Document Unreliability: Salvadoran civil documents have an extremely low level of credibility. Each of the 262 municipalities independently issue birth, death, and marriage certificates. Each municipality established its own format for these documents and periodically updates the format with no set schedule. Most municipalities require little or no proof of the information they formally document, and fraud perpetrated by both individual citizens and municipal civil registry officials is commonplace. Consequently, consular officers encounter numerous civil documents with no standardized format or security features and minimal credibility. A Salvadoran law mandates the National Civil Registry (RNPN), to assume responsibility for centralizing and standardizing the issuance and archiving of all civil documents, but the municipalities are resisting compliance, claiming the law infringes municipal authority.

6. National Identity Document: The most secure civil document in El Salvador is the National Identification Card (DUI) issued by the RNPN. The DUI is available to all Salvadorans over the age of eighteen and is required for bank transactions, many business transactions, voting, and for issuance of a Salvadoran passport. The DUI's

sophisticated security features, including biometric fingerprinting, gives the document a high degree of credibility. According to the RNPN, more than 90 percent of the adult population is documented with a DUI.

17. Air Traffic to the U.S.: El Salvador's international airport hosts over ten direct flights per day to U.S. destinations, including Houston, Washington, D.C., Los Angeles, Boston, New York, Atlanta, Miami, and Dallas-Fort Worth. With so many direct flights to the United States, El Salvador is experiencing an increase in the use of its international airport as a transit point by alien smugglers. Those being smuggled by air most often originate from Asia, notably China, but Ecuadorians, Brazilians, Cubans and other nationalities have attempted to transit El Salvador for the U.S. using false or fraudulently obtained travel documents.

18. Background Conclusion: El Salvador offers a large portion of its population poor living conditions. Fraudulent civil documents are commonplace and easily obtained. The large size and relative affluence of the Salvadoran community in the United States encourages other Salvadorans to seek a better life for themselves and their families by immigrating to the United States, legally or otherwise. El Salvador's geographic proximity to the U.S. and regular air connections make it an attractive transit point for alien smugglers. In combination, these factors create an environment of chronic fraud and established El Salvador as a strategically important location for alien smugglers.

NIV Fraud

19. Ninety-four percent of visa applications at Post are for B1/B2's, and most NIV fraud is detected in this category. Fraudulent and fraudulently-obtained documents such as birth and death certificates, immigration stamps, tax documents, job letters, and even passports are presented regularly to support NIV applications. Document vendors often offer a "package" of false documents and coach applicants for their visa interview.

10. The most common NIV document fraud involves the purchase of false Salvadoran immigration stamps to hide the applicant's overstay in the United States. Applicants most often present their own passports with false stamps for visa renewal. Also common is the presentation of the fraudulently stamped passport of a family member of the applicant. While the stamp indicates the family member has returned to El Salvador, in fact, he or she remains in the United States. Consular officers are trained to recognize false stamps and refer these cases to FPU for confirmation with Salvadoran Immigration officials before final adjudication.

11. Also common is the presentation of false Salvadoran birth certificates submitted in efforts to smuggle minors into the United States. In most cases the minor's grandparents or other relatives pose as the parents for the visa interview, because the actual parents are in the U.S. illegally. The minors and the putative parents apply for visas with authentic, but fraudulently-obtained, birth certificates. Late birth registrations of one year or more is a common indicator of this type of fraud.

12. Applicants often submit fraudulent tax documents, job letters, and bank statements in an effort to overcome 214b. These documents are among the easiest to detect, but are nonetheless popular with applicants who often purchase them from document vendors.

13. The number of H2B visa applications rose in the past year by 66 percent, although Post's H2B volume still trails the two regional leaders, Mexico and Guatemala. The increase in H2B applications accompanied an increase in H2B-related fraud. A recent case involved a local recruiter advertising the opportunity to work in the United States. Interested applicants were charged a 10 USD consultancy fee to be evaluated for acceptance into the program. If accepted into the work program the applicant must pay an additional 500 USD to the recruiter. The applicant's name is then included in a valid petition sponsored by the U.S. company that the recruiter represents. If the applicant is granted a work visa under this petition they are required to pay upwards of 4,000 USD from their US salaries to the recruiter. In preparation for their visa interviews, the applicants are coached by the recruiters to answer all questions according to a practiced script and to deny that any additional fees were required to be included in the petition. When consular officers detect this type of fraud they refuse the applicants under 214b. Post is conducting outreach efforts to warn the general public about these schemes and is cooperating with Salvadoran police to identify and convict these recruiters.

IV Fraud

14. Post encounters frequent family-based IV fraud. Applicants often submit false birth certificates to qualify for immigrant visas. Some cases involve beneficiaries who are relatives, but not the children, of the petitioner and consequently are not eligible for immigrant visas. In these cases, the petitioner submits a false birth certificate that documents the beneficiary as the petitioner's child. In other cases, beneficiaries submit fraudulent birth certificates to hide the fact that they have aged out of their category. Salvadoran documents have such low credibility that DNA testing to prove parentage is required for all beneficiaries who submit birth certificates registered one year or more after the child's purported date of birth. When faced with the prospect of DNA testing many beneficiaries admit to attempted fraud.

15. Employment-based IV fraud is rarely detected in El Salvador.

DV Fraud

16. El Salvador is not a Diversity Visa Lottery Program country.

ACS and Passport Fraud

17. The most common type of passport fraud in El Salvador is perpetrated by imposters using authentic U.S. birth certificates to fraudulently obtain U.S. passports. In most of these cases, the parents of Salvadoran minors obtain authentic U.S. birth certificates and either claim their child lost a previous passport or provide false identity evidence to obtain a U.S. passport for the child.

18. Another form of imposter fraud involves U.S. citizens lending, selling, or renting their valid passports to others with similar physical characteristics for illegal entry into the United States. Imposters also have attempted to renew valid U.S. passports so that the new passport will contain their photograph instead of that of the original passport holder.

Adoption Fraud

19. Following wide-spread kidnapping and adoption fraud during El Salvador's civil war (1980 - 1992), the Salvadoran Government instituted a rigorous and time-consuming adoption process. Given the bureaucracy associated with the adoption process in El Salvador, very few US citizens choose to adopt in El Salvador. No adoption fraud has been detected.

Asylum and other DHS benefit fraud

20. DHS's USCIS and Immigration and Customs Enforcement (ICE) have offices in El Salvador. The Consular Section does not process Visa 92/93 cases.

Cooperation with Host Government Authorities

21. The Consular Section enjoys outstanding cooperation with the PNC, airport security, Immigration, and the RNP.

22. In May 2005 Post's Consular Section coordinated with the PNC Border Division to initiate a program in which the PNC arrests perpetrators of civil document fraud. Under this program, when FPU confirms civil document fraud it notifies the PNC, which apprehends the perpetrator immediately after he or she leaves the Embassy compound. The PNC then questions the detainee to gather more information about document vendor rings.

23. Per FAM guidance, Post regularly complies with PNC law enforcement requests to verify visa information related to ongoing criminal investigations. These requests also enable Post to obtain information about criminal suspects, including their name, date of birth, and the nature of the crime for which they are being investigated. If the crime involves a visa ineligibility, the FPU enters a related P hit for the individual in CLASS.

24. The FPU conducts an airport visit program that includes regular visits by officers and LES staff. The visits give consular personnel opportunities to present counter-fraud

training for airline personnel, Salvadoran Immigration, and Airport Security officials and to reinforce the excellent relationships the Consular Section has with airport personnel.

125. Post regularly requests that the RNPN confirm the identity and civil status of visa applicants. Host government response to these requests is excellent.

Areas of Particular Concern

126. El Salvador and the United States share an increasing problem with crime committed by the Salvadoran-based but transnational gangs MS-13 and 18th Street. To limit the ability of Salvadoran gang members to enter the United States, in June 2005 the Departments of State and Homeland Security approved an expanded interpretation of INA ineligibility 212(a)(3)(a)(ii) to exclude active members of Salvadoran-based gangs from receiving immigration benefits. Since then, Post has denied immigrant visas to several applicants using this ineligibility. Post also entered the names of more than 6,500 suspected active gang members into CLASS under the expanded ineligibility. The names were provided by the FBI and the Salvadoran Gang Task Force. Post is exploring ways to expand its cooperation with Salvadoran authorities and the FBI to better identify gang members and track their efforts to cross international boundaries.

Staffing and Training

127. Post's FPU consists of two full-time LES Fraud Prevention Investigators (FPI), one full-time LES Fraud Prevention Analyst (FPA), and a full-time consular officer as Fraud Prevention Manager (FPM). Both the FPM and the FPA are one-year rotational positions that will have new incumbents in June 2006.

128. The current FPM attended the Fraud Prevention for Consular Managers course (PC-541) at FSI in February 2005. The senior investigator attended the FSN Fraud Prevention Course in Washington in November 2002 and attended training at Post in April 2005 on how to investigate money laundering. The FPU's deputy FPI and the FPA never received formal fraud prevention training, but the unit would greatly benefit from such training. The incoming Fraud Prevention Manager should attend the Fraud Prevention for Consular Managers course before assuming the role of Fraud Prevention Manager.

129. Fraud detection training materials for U.S. documents in Power Point would be extremely useful. The materials would provide a degree of consistency for training post's partners around the world and would ensure that future updates to training materials could be made globally.

Barclay